



PATENT
1614-0178P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Margaret BYWATER et al.

SERIAL NO.: 08/776,044

GROUP: 1802

FILED: January 15, 1997

EXAMINER:

FOR: SEQUENCE-BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE
FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE)

May 23, 1997

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. The following additional information is provided for the Examiner's consideration.

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
- b. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
- c. before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$230.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. No certification; therefore, a fee in the amount of \$230.00 is required by 37 C.F.R. § 1.17(p).
or
b. See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

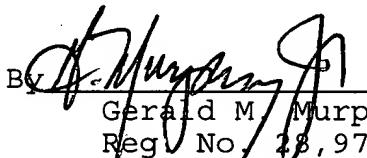
- A check in the amount of \$230.00 is enclosed for the above-identified fee.
- Please charge Deposit Account No. 02-2448 in the amount of \$230.00 for the above-indicated fee. A triplicate copy of this paper is attached.
- No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2448.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP


By _____
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Enclosures: PTO-1449

References

Foreign Search Report

Fee

Other: